



OFFICE OF LEGAL COUNSEL

INTERPRETIVE GUIDANCE

Number: COVID19-02
Date: March 19, 2020
Re: Order of the Governor of the State of Maryland, Number 20-03-19-01, dated March 19, 2020, Amending and Restating the Order of March 16, 2020 Prohibiting Large Gatherings and Events and Closing Senior Centers, and Additionally Closing Various Other Establishments

1. Update to OLC Interpretive Guidance COVID19-01.

- a. Interpretive guidance #COVID19-01 issued by the Office of Legal Counsel (“OLC”) is no longer valid with respect to the following, which are addressed by the above-referenced Order:
 - i. Enclosed Malls (as defined in the Order); and
 - ii. food courts.
- b. OLC’s interpretive guidance #COVID19-01 remains valid with respect to the following:
 - i. shopping malls that do not meet the Order’s definition of Enclosed Malls;
 - ii. food trucks;
 - iii. private clubs;
 - iv. funerals; and
 - v. barber shops, hair salons, and certain spas.

2. New Interpretive Guidance. At this time, OLC recommends that the Administration interpret the above-referenced Order as follows:

- a. *Physical Therapists.* The provisions of the Order requiring closure of fitness centers and other similar facilities do not apply to licensed physical therapists when they are engaged in the practice of physical therapy or limited physical therapy, in accordance with Title 13, Subtitle 1 of the Health Occupations Article of the Maryland Code.
- b. *Convenience Stores.* The Order does not require closure of convenience stores. See also 2.c below.
- c. *Dining Areas in Grocery and Convenience Stores.* Owners/operators of grocery and convenience stores that include areas for on-site food consumption should remove tables and chairs from, or otherwise restrict access to, those areas.

This Interpretive Guidance maybe revised or rescinded at any time. Citizens are urged to consult with their own legal counsel for advice about the application of the Order and this Interpretive Guidance to their particular facts and circumstances.